## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

MIDWEST AMERICA FEDERAL CREDIT UNION, on behalf of itself and others similarly situated,

:

Plaintiff,

:

v.

:

ARBY'S RESTAURANT GROUP, INC.,

CIVIL ACTION NO. 1:17-CV-514-AT

Defendant.

## **ORDER**

This matter is before the Court on the parties' Joint Motion to Consolidate the above-captioned case with the following cases:

- 1. *N. Ala. Educators Credit Union v. Arby's Rest. Grp.*, No. 1:17-cv-00686 (N.D. Ga., filed Feb. 23, 2017);
- Wanigas Credit Union, Gulf Coast Bank & Trust Co., and Michigan Credit Union League v. Arby's Rest. Grp., No. 1:17-cv-00689
  (N.D. Ga., filed Feb. 23, 2017);
- 3. First Choice Fed. Credit Union v. Arby's Rest. Grp., No. 1:17-cv-00703 (N.D. Ga., filed Feb. 24, 2017);
- 4. Valley Fed. Credit Union v. Arby's Rest. Grp., No. 1:17-cv-00715 (N.D. Ga., filed Feb. 27, 2017);

- 5. *Alcoa Cmty. Fed. Credit Union v. Arby's Rest. Grp.*, No. 1:17-cv-00718 (N.D. Ga., filed Feb. 27, 2017); and
- 6. Fort McClellan Credit Union v. Arby's Rest. Grp., No. 1:17-cv-00770 (N.D. Ga., filed Mar. 2, 2017).

Each of these cases has been reassigned to the Court. The Court finds that consolidation of these matters is appropriate under Fed. R. Civ. P. 42 for the reasons set forth in the parties' brief, and therefore **GRANTS** the Motion. [Doc. 22.] The Clerk is **DIRECTED** to file this Order in each of the above-listed civil actions, and then close them and consolidate them with this matter. All docketing shall occur in this case. Because the parties have indicated that Plaintiffs intend to file a consolidated amended complaint, the Clerk is **DIRECTED** to refrain from docketing the complaints in the above-captioned cases in the consolidated action.<sup>1</sup>

The Parties are **DIRECTED** to submit a joint proposed master scheduling order by April 28, 2017. This proposed order should set forth the date by which Plaintiffs intend to file their amended complaint and by which Defendants intend to respond. The Court **STAYS** Defendants' obligations to respond to the operative complaints in these matters until it has entered a scheduling order.

<sup>&</sup>lt;sup>1</sup> In the event a party has filed a certificate of compliance with the Court's Guidelines to Parties and Counsel (Doc. 3) prior to consolidation, it need not file a new one. The Clerk is **DIRECTED** to docket any certificates of compliance from the separate actions in this consolidated action. Any party that has not already filed a certificate of compliance is **DIRECTED** to do so by April 28, 2017.

 ${\bf IT~IS~SO~ORDERED}$  this 17th day of April, 2017.

Amy Totenberg United States District Judge